

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference M 05030 PCT 6931	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/000307	International filing date (day/month/year) 16.01.2004	Priority date (day/month/year) 16.01.2004
International Patent Classification (IPC) or national classification and IPC B63B59/06 B63B59/08 A46B9/02		
Applicant MARR, Nicolette		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 11 sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000307

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 4-19 _____ as originally filed/furnished
- pages* 1, 2, 2a, 3 _____ received by this Authority on 23.08.2005 with letter of 18.08.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-36 _____ received by this Authority on 23.08.2005 with letter of 18.08.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/6-6/6 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000307

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-36	YES
	Claims		NO
Inventive step (IS)	Claims	1-36	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-36	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<p>1. This report makes reference to the following documents:</p> <p>D1: WO01/70567</p> <p>D2: FR-A-2 753 889</p>			
<p>2. D1 is regarded as the prior art closest to the subject matter of claim 1. It discloses (the reference signs in parentheses refer to said document):</p> <p>a device for cleaning the outer hull side (3) of a boat (2), consisting of an elongated buoyancy element (5) having a handle (11) attached to one end of the buoyancy element, a flat side (8) of the buoyancy element (5) having at least one brush (25).</p> <p>The subject matter of claim 1 differs from the known device in that the length of the bristles of the brush increases or decreases in the direction in which the front face of the surface of the element extends, and the</p>			

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

free ends of the bristles of the brush form an envelope curve having at least three corners, the cross-section of the envelope curve forming an irregular pentagon.

Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)).

3. The problem to be solved by the present invention can be regarded as the fact that, in such a cleaning device, owing to the previous design of the bristles of the boat hull, the area of the profiled ribs is not sufficiently well cleaned, in particular in profiled ribs extending parallel to the waterline on the outer hull side.

The solution to this problem as proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) because none of the documents cited in the search report contains such a shape for the bristles of the brush. Extremely different hull contours with extremely differently designed profiled ribs or planks can be cleaned in a simple and precise manner.

4. Claims 2-36 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.